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OFFICE OF PETITIONS

**SUTHERLAND ASBILL & BRENNAN
999 PEACHTREE STREET, N.E.
ATLANTA GA 30309**

In re Application of :
David Lee Garrison et al :
Application No. 09/010,193 :
Filed: January 21, 1998 :
Attorney Docket No. 23952-0046 :

ON PETITION

This is a decision on the petition, filed October 10, 2006, under 37 CFR 1.181(a) to Withdraw Holding of Abandonment.

The petition under 37 CFR 1.181(a) is **GRANTED**.

The application was held abandoned for failure to timely reply to the Notification of Non-Compliant Appeal Brief mailed November 29, 2005.

The petition states that a reply was timely submitted on December 9, 2005. To support this assertion, the petitioner has submitted a copy of the response, along with a copy of a postcard receipt stamp date of December 9, 2005 by the USPTO.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 2164.

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions